

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON AT SEATTLE

DONALD MORISKY

Case No.: 2:21-CV-01301-DWC

Plaintiff,

VS.

MMAS RESEARCH, LLC, a Washington limited liability company, STEVEN TRUBOW, an individual, POLINA FEILBACH, an individual, RODNEY WATKINS, an individual, DUSTIN MACHI, an individual, MMAS Research Italy S.R.L. an Italian company, and MMAS Research France, SAS a French company,

**DECLARATION OF STEVE
TRUBOW CONCERNING
PLAINTIFF'S MOTION TO STAY
DOCKET 206**

Defendants.

I, STEVE TRUBOW, make this Declaration concerning facts within my personal knowledge and experience and in support of Defendant's Response to Plaintiff's Motion to Stay the Proceedings.

1. The facts relate to counterclaims filed by Defendants in the Second Amended Complaint Docket 94 in this matter.
 2. These Counterclaims (the SAC Counterclaims) will not be resolved by the matter on appeal, and it is urgent that Defendants proceed to trial on them.
 3. SAC Counterclaims #2,3,4,5,7, and 8 are completely separate from the SAC counterclaim #1 over the ownership of the Morisky Widget and counterclaim #6 which alleges Plaintiff infringed on the Morisky Widget copyright.
 4. SAC Counterclaims #2,3,4,5,7, and 8 seek damages in excess of 9 million dollars. See Exhibit 1.
 5. In DKT 48, this Court recognized that the SA authorizes Defendants to pursue

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1 retroactive licensing agreements for the Morisky Widget. See Dkt. 48.
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- 6 6. SAC Counterclaims #2,3,4,5,7, and 8 concern Plaintiff's breach of the CR2A
7 settlement agreement, breach of contract with business expectancy, unfair business
8 practices, tortious and malicious breach of process, breach of implied covenant of good
9 faith and fair dealing, and tortious interference
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- 11 7. The SAC Counterclaims involve malicious actions taken by Plaintiff concerning the
12 CR2A contractual agreement and his direct and intentional interference with the
13 settlement of 406 CR2A Exhibit 3 infringement claims, and the forced termination of
14 over 200 Exhibit 4 Morisky Widget licenses and Exhibit GMRF licenses, which have
15 devastated the Defendants financially and professionally, caused the Defendants to
16 experience emotional trauma and mental anguish and exacerbate the severity of the
17 Defendants chronic health condition.
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- 19 8. SAC Counterclaims #2,3,4,5,7, and 8 require urgent resolution to restore the
20 Defendants business practices, physical and mental health, and their professional
21 reputation.
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- 23 9. In order to stave off bankruptcy, adverse medical events, continued mental trauma, the
24 Defendants requests the Court to reject any stay or further delay and proceed with a
25 schedule for discovery and trial.
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1 I declare under penalty of perjury under the laws of the United States of America that
2 the foregoing is true and correct.

3 Executed on December 19 2023.

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5 STEVE TRUBOW
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